

796 U.S. 20

Docket No.
PU3126US2

GLOVER et al.

Serial No. To be Assigned	Filing Date Concurrent	Examiner E. Crane	Group Art Unit 1623
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NOVEL CRYSTALLINE FORMS OF AN ANTIVIRAL BENZIMIDAZOLE COMPOUND

Jc858 U.S. PTO
10/007272
10/29/01

Transmitted herewith is:

Continuation Patent Application with related fees and papers


in the above identified application.

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Dated: 10/29/01

Lorie Ann Morgan
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10/29/01



Jc796-U.S. PTO

12-10-01

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Please type a plus sign (+) inside this box → ☐PTO/SB/05 (4/98)
Approved for use through 9/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

PU3126US2

First Inventor or Application Identifier

Bobby Neal GLOVER

Title

Novel Crystalline Forms of an Antiviral Benzimidazole...

Express Mail Label No.

EL395943345US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application

ADDRESS TO:

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Washington, D.C. 20231

1. ☒ *Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **37**]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **6**]
4. Oath or Declaration [Total Pages **1**]
- a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 16 completed)
- [Note Box 5 below]
i. ☒ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
13. ☐ * Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. ☒ Other: Cover page for WO 99/51618

*NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. 1.27).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/647/962**Prior application information: Examiner **E. Crane**Group / Art Unit **1623**

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer Number or Tech Bar Code Label here)

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	Attorney for Applicants				
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Name (Print/Type) **LORIE ANN MORGAN**Registration No. (Attorney/Agent) **38,181**

Signature

Date

29 Oct 01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: B. Carter *et al.*

Filed: 6 October 2000

Art Unit: 1623

Serial Number: 09/647,962

Examiner: L. Crane

Title: NOVEL CRYSTALLINE FORMS OF AN ANTIVIRAL BENZIMIDAZOLE COMPOUND

Commissioner for Patents
Washington D.C. 20231



STATEMENT UNDER 37 CFR §1.48(A) OF NO DECEPTIVE
INTENT IN ERRONIOUSLY NAMING INVENTOR

Sir:

I Barry H. Carter do hereby declare and say as follows:

At the time of filing the instant application, I was named as an inventor. The error in inventorship of the instant patent application occurred without any deceptive intent on my part.

I hereby declare that all statements made herein, of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued therefrom.



Barry Howard Carter

9-28-01

Date

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
PU3126US2

In Re Application Of:

GLOVER et al.

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Filing Date
Concurrent

Examiner
E. Crane

Group Art Unit
1623

Title:

NOVEL CRYSTALLINE FORMS OF AN ANTIVIRAL BENZIMIDAZOLE COMPOUND

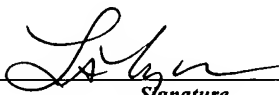
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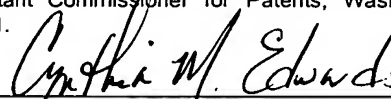
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Filing Date

Concurrent

Examiner

E. Crane

Group Art Unit

1623

Invention: **NOVEL CRYSTALLINE FORMS OF AN ANTIVIRAL BENZIMIDAZOLE COMPOUND**I hereby certify that this Continuation Patent Application with related fees and papers

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